

# SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Haynes Analyst: Jeff Garnier Bill Number: SB 114

Related Bills: See Prior Analysis Telephone: 845-5322 Amended Date: April 16, 2001

Attorney: Patrick Kusiak Sponsor: \_\_\_\_\_

**SUBJECT:** Alternative Minimum Tax/Delete Charitable Contribution as Tax Preference Item

- ☒ DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced January 23, 2001.
- ☐ AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- ☒ AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced January 23, 2001.
- ☐ FURTHER AMENDMENTS NECESSARY.
- ☐ DEPARTMENT POSITION CHANGED TO \_\_\_\_\_.
- ☒ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS INTRODUCED January 23, 2001, STILL APPLIES.
- ☐ OTHER - See comments below.

## SUMMARY

This bill would eliminate charitable contributions of certain property from the list of items that can result in the payment of alternative minimum tax.

## SUMMARY OF AMENDMENT

The April 16, 2001, amendments made the technical and conforming amendments discussed under "Technical Considerations" of the department's analysis of the bill, as introduced January 23, 2001. Except for one conforming amendment, the April 16, 2001, amendments resolve the department's technical concerns.

The remainder of the January 23, 2001, analysis still applies.

## POSITION

Pending.

Board Position:

<input type="checkbox"/> S	<input type="checkbox"/> NA	<input type="checkbox"/> NP
<input type="checkbox"/> SA	<input type="checkbox"/> O	<input type="checkbox"/> NAR
<input type="checkbox"/> N	<input type="checkbox"/> OUA	<input checked="" type="checkbox"/> PENDING

Legislative Director

Date

Brian Putler

04/24/01

### TECHNICAL CONSIDERATIONS

The bill as introduced deleted subdivision (e) of Revenue & Taxation Code Section 17062, and renumbered subdivisions (f) and (g) to (e) and (f), respectively. Subdivision (d) of Revenue & Taxation Code Section 17063 references Section 17062(f), which these amendments would change to Section 17062(e). The reference in 17063(d) needs to be changed. Amendment 1 makes this conforming amendment.

### **LEGISLATIVE STAFF CONTACT**

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FRANCHISE TAX BOARD'S  
PROPOSED AMENDMENTS TO SB114  
As Amended April 16, 2001

AMENDMENT 1

On page 7, line 3, strike out (f) and insert:

(e)